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### FACSIMILE

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# OF PAGES (INCLUDING COVER): 22

FILE NAME: CMI PROMEX

DATE: February 16, 2005

FILE #: 132258

RECIPIENT(S)	PHONE	FAX
USPTO		703 872-9306

#### MESSAGE:

Serial No. 10/735,995

RAILROAD CROSSING APPARATUS HAVING IMPROVED RAIL CONNECTION AND IMPROVED  
FLANGWAY GEOMETRY AND METHOD INCORPORATING THE SAME

Filed: Dec. 15, 2003

Please find following: transmittal form, response to office action dated Nov. 16, 2004 including Exhibit A (9  
pages Specifications for Steel Rails by the American Railway Engineering Association -- total pages including  
this cover sheet 22

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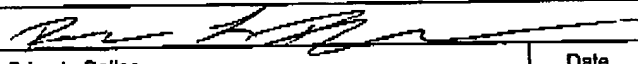
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/735,995
	Filing Date	Dec. 15, 2003
	First Named Inventor	Marron
	Art Unit	3617
	Examiner Name	Jules
Total Number of Pages in This Submission	Attorney Docket Number	CMI-0001-100 132258

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Exhibit A - American Railway Engineering Association Specifications for Steel Rails - 9 pages
<b>Remarks</b> Amendment Includes 1 Exhibit of 9 pages		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Cozen O'Connor		
Signature			
Printed Name	Brian L. Belles		
Date	Feb. 16, 2005	Reg. No.	51,322

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**DOCKET NO. 132258 CMI-0001-100**  
**Serial No. 10/735,995**  
**Response to Office Action dated Nov. 16, 2004**

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Gerald Marron

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Serial No. : 10/735,995  
Filed : December 15, 2003  
Title : RAILROAD CROSSING APPARATUS HAVING IMPROVED RAIL  
CONNECTION AND IMPROVED FLANGWAY FLOOR  
GEOMETRY AND METHOD INCORPORATING THE SAME  
Art Unit : 3617  
Examiner: Frantz F. Jules  
Attorney Docket: : 13258 CMI-0001-100

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On February 16, 2005  
  
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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313

**AMENDMENT**

In response to the Official Action of November 16, 2004, reconsideration is requested in  
view of the following amendments and remarks.

**Amendments to the Claims start on page 2 of this reply.**

**Remarks start on page 7 of this reply.**